

September 12, 2001

**OFFICE OF THE HEARING EXAMINER  
KING COUNTY, WASHINGTON**

850 Union Bank of California Building  
900 Fourth Avenue  
Seattle, Washington 98164  
Telephone (206) 296-4660  
Facsimile (206) 296-1654

**REPORT AND DECISION ON PRELIMINARY PLAT APPLICATION**

SUBJECT: Department of Development and Environmental Services File No. **L00P0021**

**CHO PLAT**  
Plat Application

Location: At the Northeast corner of South 118<sup>th</sup> Street and 64<sup>th</sup> Avenue South (aka  
6410 South 118<sup>th</sup> Street)

Applicant: Gary Cho *represented by*  
**Jeff Mann**  
Apex Engineering  
2601 S. 35<sup>th</sup> Street, Ste. 200  
Tacoma, WA 98409  
Telephone: (253) 473-4494

King County: Department of Development and Environmental Services  
Current Planning, *represented by*  
**Rich Hudson**  
900 Oaksdale Avenue SW  
Renton, WA 98055-1219  
Telephone: (206) 296-7157  
Facsimile: (206) 296-7055

**SUMMARY OF DECISION/RECOMMENDATIONS:**

Department's Preliminary Recommendation:	Approve, subject to conditions
Department's Final Recommendation:	Approve, subject to conditions
Examiner's Decision:	Approve, subject to conditions (modified)
Complete application:	November 13, 2000

**EXAMINER PROCEEDINGS:**

Hearing Opened: August 29, 2001  
 Hearing Closed: August 29, 2001

Participants at the public hearing and the exhibits offered and entered are listed in the attached minutes. A verbatim recording of the hearing is available in the office of the King County Hearing Examiner.

**ISSUES/TOPICS ADDRESSED:**

- Pedestrian Safety
- Drainage
- Off-site walkway

**FINDINGS, CONCLUSIONS & DECISION:** Having reviewed the record in this matter, the Examiner now makes and enters the following:

**FINDINGS:**

**1. General Information:**

Owner/Developer: Gary Cho

Engineer: Jeff Mann (253) 473-4494  
 Apex Engineering  
 2601 South 35th  
 Suite 200  
 Tacoma, WA 98409-7479

STR: SE/NE 11-23-04  
 Location: At the Northeast corner of South 118<sup>th</sup> Street and 64<sup>th</sup> Avenue South (also known as 6410 South 118<sup>th</sup> Street).

Zoning: R-8-P-SO  
 Acreage: 3.82 acres  
 Number of Lots: 27  
 Density: 5.50 dwelling units per acre  
 Lot Size: Approximately 2,850 to 4,800 square feet  
 Proposed Use: Detached single-family residential  
 Sewage Disposal: Lakeridge Bryn Mawr Water & Sewer District  
 Water Supply: Seattle Public Utilities  
 Fire District: 20  
 School District: Renton

Complete Application  
 Date: November 13, 2000  
 Recognized Vesting  
 Date: March 5, 2001 (Plat Revision added plat area and one lot)

2. Except as modified herein, the facts set forth in the King County Land Use Services Division's preliminary report to the King County Hearing Examiner for the August 29, 2001 public hearing are found to be correct and are incorporated herein by reference. The LUSD staff recommends approval of the application, subject to conditions.
3. Gary Cho has submitted a preliminary plat application to subdivide 3.82 acres into 27 lots for detached single family residential development. A mitigated determination of non-significance under SEPA was issued for this proposal on May 22, 2001, and requires fencing and signage for the on-site wetlands. A revision to the preliminary plat application was submitted on August 24, 2001, that increased the number of lots from 21 to 27 based on a determination that on-site wetland E is hydrologically isolated and can be filled due to its small size. The project is an infill development within the West Hill area near the City of Renton and is zoned R-8-P-SO. An unrestricted water certificate was issued for the project on August 13, 2001.
4. The site slopes towards the northeast, and site drainage naturally discharges to a wooded swale located on the Skagit Transmission Line right-of-way adjacent to the property's northeast corner. From there it travels to a large wetland that outlets to Taylor Creek. The upper ravine of Taylor Creek is erosional, and a KCRTS level 2 flow control requirement will be imposed upon the project in order to avoid further erosional impacts. This requirement may be modified, however, if a the regional detention facility is located at the large wetland as planned..
5. Seattle City Light has objected to discharge of surface water run-off onto the Skagit Transmission Line right-of-way, requesting within a July 3, 2001 letter, that "all on-site surfacewater collection from all impervious areas and each individual housing unit(s) be directed into a common on-site storm drain facility and directed away from our ownership." The City Light letter does not specify any harm anticipated from site discharge, nor does it contest that the swale across the transmission easement is the natural discharge route for such flows.
6. Staff has proposed a condition requiring the Applicant to construct an off-site walkway over a distance of nearly 700 feet along South 118<sup>th</sup> Street east of the plat, to provide a safe walkway for school children. The Applicant has opposed this proposed requirement on the grounds that it is disproportionate to the project's contribution of school children to this route. The Applicant is willing to pay a proportionate share of the cost of providing the walkway, but the County has no proportionate share mechanism for financing such facilities nor even, for that matter, any regulations governing school walkways. The proposed condition is based on RCW 58.17.110, which requires the subdivision applicant to make "appropriate provisions" for "streets or roads, alleys, other public ways..." and requires the County in reviewing the plat application to "consider all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school."
7. There's no serious dispute that South 118<sup>th</sup> Street provides an unsafe route for children who walk to school. There are no sidewalks on either side of the street, and in most places the shoulder drops off rather abruptly from the pavement. Consequently, children using this route are effectively required to walk within the driving lane. The situation is exacerbated by the fact that South 118<sup>th</sup> Street declines steeply toward the east, resulting in accelerated car speeds, and by the absence of a fog line along the pavement to visually limit the driving surface. A short plat application is pending for the property lying 100 feet east of the Cho subdivision, and if approved, this project can be expected to provide a walkway along its frontage. East of the

short plat property are three further parcels that provide minimal shoulder width over a span of approximately 400 feet. Once South 118<sup>th</sup> Street intercepts the Skagit Transmission Line easement, however, the shoulder width increases to approximately 10 feet across the transmission right-of-way east to 68<sup>th</sup> Avenue South.

8. Although the Renton School District considers South 118<sup>th</sup> Street between 64<sup>th</sup> Avenue South and 68<sup>th</sup> Avenue South to be a priority route for an upgraded walkway, it is not clear how extensively it will be used by students from the Cho subdivision. According to the Applicant's school walkway study, the bus stop for students to go to Thomson School is located directly in front of the Cho plat, while students who walk to the Renton High bus stop and to Campbell Hill Elementary school will travel south along 64<sup>th</sup> Avenue South, rather than east along South 118<sup>th</sup> Street. As shown by the Applicant's study, only students who walk to Dimmitt Middle School will use South 118<sup>th</sup> Street, and they are required to walk more than a mile to reach the school site.

#### CONCLUSIONS:

1. While the unsafe walking conditions along South 118<sup>th</sup> Street, east of 64<sup>th</sup> Avenue are well documented, it is not reasonable to place the entire burden of correcting this existing deficiency on the Applicant. This Applicant should be required to construct off-site walkway over the 100 feet lying between the plat's southeast corner and the short plat application lying one lot removed to the east. In addition, the Applicant should provide fog line striping on the north side of South 118<sup>th</sup> Street, from the plat's southeast corner to the Skagit Transmission Line right-of-way. The conditions have been modified to incorporate these requirements.
2. KCC 9.04.050 requires site drainage to discharge at the natural location. No factual basis has been provided for authorizing a deviation from this legal requirement with respect to flows emanating from the Cho subdivision and traversing the Skagit Transmission Line right-of-way. In view of the small size of the property and the level 2 flow control imposed, the rate of discharge should not exceed the existing pre-developed condition.
3. If approved subject to the conditions imposed below, the proposed subdivision makes appropriate provision for the public health, safety and welfare; serves the public use and interest; and meets the requirements of RCW 58.17.110.
4. The conditions of approval imposed herein, including dedications and easements, will provide improvements that promote legitimate public purposes, are necessary to serve the subdivision and are proportional to its impacts; are required to make the proposed plat reasonably compatible with the environment; and will carry out applicable state laws and regulations and the laws, policies and objectives of King County.

#### DECISION:

The preliminary plat application for the Cho subdivision, as revised and received on August 24, 2001, is APPROVED, subject to the following conditions of final approval:

1. Compliance with all platting provisions of Title 19 of the King County Code.
2. All persons having an ownership interest in the subject property shall sign on the face of the final plat a dedication that includes the language set forth in King County Council Motion No. 5952.
3. The plat shall comply with the base density (and minimum density) requirements of the R-8-P-SO zone classification. All lots shall meet the minimum dimensional requirements of the R-8-P-SO zone classification or shall be as shown on the face of the approved preliminary plat, whichever is larger, except that minor revisions to the plat which do not result in substantial changes may be approved at the discretion of the Department of Development and Environmental Services.
4. The applicant must obtain final approval from the King County Health Department. *This only applies if existing septic tanks and drainfields are located on site. If these facilities are on site, said facilities shall be abandoned in accordance to King County Health Department requirements.*
5. All construction and upgrading of public and private roads shall be done in accordance with the King County Road Standards established and adopted by Ordinance No. 11187, as amended (1993 KCRS).
6. The applicant must obtain the approval of the King County Fire Protection Engineer certifying the adequacy of the fire hydrant, water main, and fire flow to meet the standards of Chapter 17.08 of the King County Code.
7. Final plat approval shall require full compliance with the drainage provisions set forth in King County Code 9.04. Compliance may result in reducing the number and/or location of lots as shown on the preliminary approved plat. Preliminary review has identified the following conditions of approval which represent portions of the drainage requirements. All other applicable requirements in KCC 9.04 and the Surface Water Design Manual (SWDM) must also be satisfied during engineering and final review.
  - a. Drainage plans and analysis shall comply with the 1998 King County Surface Water Design Manual and applicable updates adopted by King County. DDES approval of the drainage and roadway plans is required prior to any construction.
  - b. Current standard plan notes and ESC notes, as established by DDES Engineering Review, shall be shown on the engineering plans.
  - c. The following note shall be shown on the final recorded plat:

"All building downspouts, footing drains, and drains from all impervious surfaces such as patios and driveways shall be connected to the permanent storm drain outlet as shown on the approved construction drawings # \_\_\_\_\_ on file with DDES and/or the King County Department of Transportation. This plan shall be submitted with the application of any building permit. All connections of the drains must be constructed and approved prior to the final building

inspection approval. For those lots that are designated for individual lot infiltration systems, the systems shall be constructed at the time of the building permit and shall comply with plans on file."

8. The stormwater detention facility shall be designed using the Level 2 Flow Control Methodology in the 1998 King County Surface Water Design Manual (KCSWDM) unless otherwise approved. The King County Water and Land Resources Division (WLRD) is proposing regional stormwater detention facilities downstream from this site and in the Taylor Creek Basin. WLRD and DDES may consider alternative retention/detention design or monetary contribution to a regional facility for this subdivision. WLRD and DDES shall approve any alternative retention/detention design prior to engineering plan approval.
9. The following road improvements are required for this subdivision to be constructed according to the 1993 King County Road Standards (KCRS):
  - a. The internal access road shall be improved to the urban subaccess street standard.
  - b. FRONTAGE: The frontage of this subdivision along S. 118th Street shall be improved to the urban neighborhood collector standard.
  - c. FRONTAGE: The frontage along 64th Avenue S. shall be improved to the urban subcollector standard. 64th Avenue S. shall be lowered in the vicinity of S. 118th Street and S. 117th Place to achieve stopping site distance.
  - d. OFF-SITE WALKWAY: A minimum 4 feet wide off-site walkway shall be provided along the north side of S. 118<sup>th</sup> St. from the southeast corner of the plat 100 feet east to the pending short plat property (L99S3026). A fog line shall also be painted on the north side of S. 118<sup>th</sup> St along the edge of the driving lane from 64<sup>th</sup> Ave. S. east to the Skagit Transmission Line right-of-way, as approved by King County Department of Transportation.
  - e. Tracts B and D shall be improved as a private access street per Section 2.09 of the KCRS. Tract B shall be owned and maintained by the owners of Lots 4 through 7, and include a stormwater maintenance access easement to King County. Tract B shall also include an easement for ingress/egress to Tax Lot 69.
  - f. Lots 5 and 6 shall be served by a joint use driveway per Section 3.01 of the KCRS, unless otherwise approved by DDES. The driveway tract shall be owned and maintained by the owners of lots 5 and 6 and shall include a maintenance access easement to King County for the Tract C drainage facility.
  - g. Modifications to the above road conditions may be considered in accordance with the variance provisions in Section 1.04 of the KCRS.
10. All utilities within proposed rights-of-way must be included within a franchise approved by the King County Council prior to final plat recording.

11. The applicant or subsequent owner shall comply with King County Code 14.75, Mitigation Payment System (MPS), by paying the required MPS fee and administration fee as determined by the applicable fee ordinance. The applicant has the option to either: (1) pay the MPS fee at final plat recording, or (2) pay the MPS fee at the time of building permit issuance. If the first option is chosen, the fee paid shall be the fee in effect at the time of plat application, and a note shall be placed on the face of the plat that reads, "All fees required by King County Code 14.75, Mitigation Payment System (MPS), have been paid." If the second option is chosen, the fee paid shall be the amount in effect as of the date of building permit application.
12. Lots within this subdivision are subject to King County Code 21A.43, which imposes impact fees to fund school system improvements needed to serve new development. As a condition of final approval, fifty percent (50%) of the impact fees due for the plat shall be assessed and collected immediately prior to recording, using the fee schedules in effect when the plat receives final approval. The balance of the assessed fee shall be allocated evenly to the dwelling units in the plat and shall be collected prior to building permit issuance.
13. The planter islands (if any) within the cul-de-sacs shall be maintained by the abutting lot owners or homeowners association. This shall be stated on the face of the final plat.
14. The proposed subdivision shall comply with the Sensitive Areas Code as outlined in KCC 21A.24. Permanent survey marking and signs as specified in KCC 21A.24.160 shall also be addressed prior to final plat approval. Temporary marking of sensitive areas and their buffers (e.g., with bright orange construction fencing) shall be placed on the site and shall remain in place until all construction activities are completed.

Preliminary plat review has identified the following specific requirements which apply to this project. All other applicable requirements from KCC 21A.24 shall also be addressed by the applicant.

### **Wetlands**

Class 3 wetland(s) shall have a minimum buffer of 25 feet, measured from the wetland edge.

The wetland(s) and their respective buffers shall be placed in a Sensitive Area Tract (SAT).

Buffer averaging may be proposed, pursuant to KCC 21A.24.320, provided the total amount of the buffer area is not reduced and better resource protection is achieved. Buffer averaging is subject to final review and approval of a buffer enhancement re-vegetation plan by a DDES Senior Ecologist (see below condition – Alterations to Streams or Wetlands).

A minimum building setback line of 15 feet shall be required from the edge of the tract.

### **Alterations to Streams or Wetlands**

If alterations of streams and/or wetlands are approved in conformance with KCC 21A.24, then a detailed plan to mitigate for impacts from that alteration will be required to be reviewed and approved along with the plat engineering plans. A performance bond or other financial guarantee will be required at the time of plan approval, to guarantee that the mitigation measures are

installed according to the plan. Once the mitigation work is completed to a DDES Senior Ecologist's satisfaction, the performance bond may be replaced by a maintenance bond for the remainder of the five-year monitoring period to guarantee the success of the mitigation. The applicant shall be responsible for the installation, maintenance and monitoring of any approved mitigation. The mitigation plan must be installed prior to final inspection of the plat.

### **Geotechnical**

Determine the top, toe, and sides of 40% slopes by field survey. Provide a 50-foot buffer for these slopes. The buffer may be reduced with the submittal of a satisfactory soils report, subject to review and approval by DDES geologist, prior to engineering plan approval.

15. The following note shall be shown on the final engineering plan and recorded plat:

#### **RESTRICTIONS FOR SENSITIVE AREA TRACTS AND SENSITIVE AREAS AND BUFFERS**

"Dedication of a sensitive area tract/sensitive area and buffer conveys to the public a beneficial interest in the land within the tract/sensitive area and buffer. This interest includes the preservation of native vegetation for all purposes that benefit the public health, safety and welfare, including control of surface water and erosion, maintenance of slope stability, and protection of plant and animal habitat. The sensitive area tract/sensitive area and buffer imposes upon all present and future owners and occupiers of the land subject to the tract/sensitive area and buffer the obligation, enforceable on behalf of the public by King County, to leave undisturbed all trees and other vegetation within the tract/sensitive area and buffer. The vegetation within the tract/sensitive area and buffer may not be cut, pruned, covered by fill, removed or damaged without approval in writing from the King County Department of Development and Environmental Services or its successor agency, unless otherwise provided by law."

The common boundary between the tract/sensitive area and buffer and the area of development activity must be marked or otherwise flagged to the satisfaction of King County prior to any clearing, grading, building construction or other development activity on a lot subject to the sensitive area tract/sensitive area and buffer. The required marking or flagging shall remain in place until all development proposal activities in the vicinity of the sensitive area are completed.

No building foundations are allowed beyond the required 15-foot building setback line, unless otherwise provided by law.

16. Suitable recreation space shall be provided consistent with the requirements of KCC 21A.14.180 and KCC 21A.14.190 (i.e., sport court[s], children's play equipment, picnic table[s], benches, etc.).
- a. An overall conceptual recreation space plan shall be submitted for review and approval by DDES, with the submittal of the engineering plans. This plan shall include location, area calculations, dimensions, and general improvements. The approved engineering plans shall be consistent with the overall conceptual plan.

- b. A detailed recreation space plan (i.e., landscape specs, equipment specs, etc.) consistent with the overall conceptual plan, as detailed in item a., shall be submitted for review and approval by DDES and King County Parks prior to or concurrent with the submittal of the final plat documents.
  - c. A performance bond for recreation space improvements shall be posted prior to recording of the plat.
17. A homeowners' association or other workable organization shall be established to the satisfaction of DDES which provides for the ownership and continued maintenance of the recreation, open space and/or sensitive area tract(s).
18. Street trees shall be provided as follows (per KCRS 5.03 and KCC 21A.16.050):
  - a. Trees shall be planted at a rate of one tree for every 40 feet of frontage along all roads. Spacing may be modified to accommodate sight distance requirements for driveways and intersections.
  - b. Trees shall be located within the street right-of-way and planted in accordance with Drawing No. 5-009 of the 1993 King County Road Standards, unless King County Department of Transportation determines that trees should not be located in the street right-of-way.
  - c. If King County determines that the required street trees should not be located within the right-of-way, they shall be located no more than 20 feet from the street right-of-way line.
  - d. The trees shall be owned and maintained by the abutting lot owners *or* the homeowners association or other workable organization unless the County has adopted a maintenance program. Ownership and maintenance shall be noted on the face of the final recorded plat.
  - e. The species of trees shall be approved by DDES if located within the right-of-way, and shall not include poplar, cottonwood, soft maples, gum, any fruit-bearing trees, or any other tree or shrub whose roots are likely to obstruct sanitary or storm sewers, or that is not compatible with overhead utility lines.
  - f. The applicant shall submit a street tree plan and bond quantity sheet for review and approval by DDES prior to engineering plan approval.
  - g. The applicant shall contact Metro Service Planning at (206) 684-1622 to determine if \_\_\_\_\_ is on a bus route. If \_\_\_\_\_ is a bus route, the street tree plan shall also be reviewed by Metro.
  - h. The street trees must be installed and inspected, or a performance bond posted prior to recording of the plat. If a performance bond is posted, the street trees must be installed and inspected within one year of recording of the plat. At the time of inspection, if the trees are found to be installed per the approved plan, a maintenance bond must be submitted or the performance bond replaced with a maintenance bond, and held for one

year. After one year, the maintenance bond may be released after DDES has completed a second inspection and determined that the trees have been kept healthy and thriving.

A landscape inspection fee shall also be submitted prior to plat recording. The inspection fee is subject to change based on the current County fees.

- 19. The following condition has been established under SEPA authority as a necessary requirement to mitigate the adverse environmental impacts of this development. The Applicant shall demonstrate compliance with this item prior to final approval:

The applicant shall provide wetland fencing (split rail) and appropriate educational signs pertaining to the boundaries and value of the wetland resource and its benefits. The final location of the fences and the wording and placement of the signs shall be in accordance with DDES review and approval (SAO, NE-317).

- 20. The Applicant shall comply with P-suffix condition WH-P4. The homeowner’s association, or other workable organization, shall provide transit and ridesharing information and a free one-month, one or two zone transit pass to all original new homeowners of the plat at the time of occupancy.

- 21. All existing structures (including the existing paved driveways on Lots 1 and 2) shall be removed prior to final plat recording in accordance with a demolition permit obtained from DDES’s Building Services Division.

ORDERED this 12th day of September.

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Stafford L. Smith  
King County Hearing Examiner

TRANSMITTED this 12th day of September, to the parties and interested persons of record:

Joseph Blankenship Apex Engineering 2601 S. 35th St., Ste. 200 Tacoma WA 98409	Michael L. Brockway P. O. Box 78354 Seattle WA 98178	Gary Cho 2123 - 16th Ave. S. Seattle WA 98144
Roger Dorstad 16651 NE 79th St. Redmond WA 98052 3620	Mark Fitzgerald Fire District #20 12424 - 76th Ave S  Seattle WA 98178	Patrick W. Flynn 6406 S. 120th St. Seattle WA 98178-
Mel Garland Apex Engineering Inc 2601 S 35th St #200 Tacoma WA 98409-7479	Cheryl Grafalo 11604 64th Ave. S. Seattle WA 98178	Donna Graham 11659 - 66th Lane S. Seattle WA 98178

Peter Hayes  
12036 Riviera Pl NE  
Seattle WA 98125

Rebecca Lind  
City of Renton  
1055 S Grady Way  
Renton WA 98055

Jeff Mann  
Apex Engineering Inc  
2601 S 35th St #200  
Tacoma WA 98409

Linda Matlock  
WS. Dept. of Ecology  
P O Box 47696  
Olympia WA 98504-7696

Eleanor Moon  
KC Exec Horse Council  
12230 NE 61st  
Kirkland WA 98033

Garine Nordby  
6234 S. 119th St.  
Seattle WA 98178

Gurine Nordby  
6234 S. 119th  
Seattle WA 98178

Seattle-KC Health Dept  
E Dist Environ Health  
14350 SE Eastgate Way  
Bellevue WA 98007

Ketch Toyohara  
6210 S. 118th Pl.  
Seattle WA 98178

Roxanne M. White  
11801 - 64th Ave. S.  
Seattle WA 98178

Greg Borba  
DDES/LUSD  
MS OAK-DE-0100

Kim Claussen  
DDES/LUSD  
Current Planning  
MS OAK-DE-0100

Nick Gillen  
DDES/LUSD  
Site Devl Services  
MS OAK-DE-0100

Rich Hudson  
DDES/LUSD  
Current Planning  
MS OAK-DE-0100

Kristen Langley  
KCDOT  
Roads Division  
MS KSC-TR-0222

Aileen McManus  
KCDOT  
Roads Division  
MS-KSC-TR-0222

Carol Rogers  
LUSD/CPLN  
MS OAK-DE-0100

Steve Townsend  
DDES/LUIS  
Land Use Inspections  
MS OAK-DE-0100

Larry West  
LUSD/SDSS  
Wetland Reviewer  
MS OAK-DE-0100

Bruce Whittaker  
DDES/LUSD  
Engineering Review  
MS OAK-DE-0100

### NOTICE OF RIGHT TO APPEAL

In order to appeal the decision of the Examiner, written notice of appeal must be filed with the Clerk of the King County Council with a fee of \$125.00 (check payable to King County Office of Finance) *on or before September 26, 2001*. If a notice of appeal is filed, the original and six (6) copies of a written appeal statement specifying the basis for the appeal and argument in support of the appeal must be filed with the Clerk of the King County Council *on or before October 3, 2001*. Appeal statements may refer only to facts contained in the hearing record; new facts may not be presented on appeal.

Filing requires actual delivery to the Office of the Clerk of the Council, Room 1025, King County Court-house, prior to the close of business (4:30 p.m.) on the date due. Prior mailing is not sufficient if actual receipt by the Clerk does not occur within the applicable time period. The Examiner does not have authority to extend the time period unless the Office of the Clerk is not open on the specified closing date, in which event delivery prior to the close of business on the next business day is sufficient to meet the filing requirement.

If a written notice of appeal and filing fee are not filed within fourteen (14) calendar days of the date of this report, or if a written appeal statement and argument are not filed within twenty-one (21) calendar days of the date of this report, the decision of the hearing examiner contained herein shall be the final decision of King County without the need for further action by the Council.

MINUTES OF THE AUGUST 29, 2001 PUBLIC HEARING ON DEPARTMENT OF DEVELOPMENT AND ENVIRONMENTAL SERVICES FILE NO. L00P0021 – CHO PLAT:

Stafford L. Smith was the Hearing Examiner in this matter. Participating in the hearing and representing the Department was Rich Hudson, Bruce Whittaker, Jon Sloan and Aileen McManus. Participating in the hearing and representing the Applicant was Jeff Mann, Apex Engineering. The other participant in this hearing was Ms. Garine Nordby.

The following exhibits were offered and entered into the record:

- Exhibit No. 1 DDES File No. L00P0021
- Exhibit No. 2 DDES preliminary report dated August 29, 2001
- Exhibit No. 3 Application, dated October 16, 2000
- Exhibit No. 4 Environmental Checklist, dated October 16, 2000; revised March 5, 2001
- Exhibit No. 5 Mitigated Determination of Non-significance (MDNS), dated May 22, 2001
- Exhibit No. 6 Affidavit of Posting indicating November 9, 2000 as date of posting and November 27, 2000 as the date the affidavit was received by DDES
- Exhibit No. 7 Revised plat map dated August 24, 2001
- Exhibit No. 8 Land Use Maps 316E and 317W
- Exhibit No. 9 Renton School District letters dated March 13, 2001 and August 23, 2001
- Exhibit No. 10 Updated water certificate with fax cover sheet dated August 13, 2001
- Exhibit No. 11 New Condition #9
- Exhibit No. 12 New Conditions #20 & #21
- Exhibit No. 13 City of Seattle Real Estate Services comment letter dated July 3, 2001
- Exhibit No. 14 Donna Graham comment letter dated February 5, 2001
- Exhibit No. 15 Apex Engineering school walkway conditions inventory letter dated February 13, 2001
- Exhibit No. 16 Fax from Geo Engineers
- Exhibit No. 17 Picture of the road – 64<sup>th</sup> and 118th
- Exhibit No. 18 Picture of the road looking east